

Kathy Triplett - 10/20/04

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
JACKSON DIVISION

OLIVIA Y, By and  
Through Her Next Friend,  
James D. Johnson, et al.

PLAINTIFFS

VS.

CIVIL ACTION NO. 3:04CV25LN

HALEY BARBOUR, As Governor  
Of the State of Mississippi;  
DONALD TAYLOR, as Executive  
Director of the Department of  
Human Services; and BILLY MANGOLD,  
As Director of the Division of  
Children's Services

DEFENDANTS

DEPOSITION OF KATHY TRIPLETT

Taken at the instance of the Plaintiff at the  
offices of Bradley Arant, LLP, One Jackson Place,  
188 E. Capitol Street, Suite 450, Jackson,  
Mississippi, on Wednesday, October 20, 2004,  
beginning at approximately 8:09 a.m.

APPEARANCES:

ERIC E. THOMPSON, ESQ.  
MARCIA ROBINSON LOWRY, ESQ.  
Children's Rights, Inc.  
404 Park Avenue South  
New York, NY 10016

COUNSEL FOR PLAINTIFFS

ORIGINAL

Brooks Court Reporting  
1-800-245-3376

EXHIBIT

BB

Kathy Triplett - 10/20/04

Page 2

BETTY A. MALLETT, ESQ.  
McGlinchey Stafford, PLLC  
Skytel Centre South, Suite 1100  
200 South Lamar Street  
Jackson, Mississippi 39201

COUNSEL FOR DEFENDANTS

Reported By: Julie Brown, CSR #1587  
Brooks Court Reporting  
Post Office Box 2632  
Jackson, Mississippi 39207  
(601) 362-1995

Kathy Triplett - 10/20/04

Page 3

**INDEX**

**PAGE**

**Appearances** 1

**Certificate of Deponent** 95

**Certificate of Court Reporter** 96

**EXAMINATIONS**

**PAGE**

**Examination By Mr. Thompson** 4

**EXHIBITS**

**PAGE**

**Exhibit 13 - Abuse and Neglect Information** 81  
**form**

Kathy Triplett - 10/20/04

Page 4

1 KATHY TRIPLETT,  
2 having been first duly sworn, was examined and  
3 testified as follows:

4 EXAMINATION BY MR. THOMPSON

5 Q. Good morning, Ms. Triplett, my name is  
6 Eric Thompson. I'm with Children's Rights and I am  
7 representing plaintiffs in this matter. Do you  
8 understand that you're here to give sworn testimony  
9 in this case regarding abuse and neglect  
10 investigations?

11 A. Yes, I do.

12 Q. A couple of ground rules -- if at any  
13 time you don't understand a question, please let me  
14 know, I'll try to rephrase it. If at any point you  
15 wish to clarify a previous question, let me know,  
16 we'll do that on the record. And finally, this is  
17 not an endurance contest, if you need to take a  
18 break, let me know and we'll do that as well. Ms.  
19 Triplett, could you tell me what your current title  
20 is?

21 A. Division director also known as the  
22 protection unit director.

23 Q. And what is the protection unit?

24 A. The protection unit encompasses intake  
25 and investigative action on child protective

Kathy Triplett - 10/20/04

Page 5

1 services, adult protective services, the central  
2 registry program, the training program, the 24-hour  
3 hot line and foster care review program.

4 Q. How long have you been a director of the  
5 protection unit?

6 A. For approximately five and a half years,  
7 since 1999.

8 Q. And how long have you been employed by  
9 DHS?

10 A. I've been employed by DHS for  
11 approximately 15 years, not consecutively.

12 Q. What was your position immediately before  
13 being director of the protection unit?

14 A. I was a social worker advanced with the  
15 training program.

16 Q. And is that the same training program  
17 that's within the protection unit?

18 A. Yes, it is.

19 Q. Is that the program that's responsible  
20 for training of all DHS staff within the division  
21 of children/family services?

22 A. For all social work staff. There are  
23 some staff members such as adoption and licensure  
24 that are not routinely trained by the training  
25 program.

Kathy Triplett - 10/20/04

Page 45

1 that we had before. But I can't say whether that's  
2 going to be an impediment or not until we've  
3 actually continued our plans to see how that affects  
4 us.

5 Q. Well, since April or May, you're saying  
6 the loss of staff has had no impact on your program?

7 MS. MALLETT: Objection. She's already  
8 answered.

9 Q. (By Mr. Thompson) You can answer the  
10 question?

11 MS. MALLETT: As best you can.

12 A. One person left in, I believe, about  
13 April or May, I'm not sure of the months. One  
14 person left and the other people have just left  
15 within just a very recent time period. I'm not  
16 saying that the one person who left was not  
17 valuable.

18 But obviously, there would be, you know,  
19 some difference between what with one person leaving  
20 and three persons leaving. And with the three  
21 persons leaving within a short period of time,  
22 recently, I really have not been able to see yet  
23 what if any impact that's going to have.

24 Q. (By Mr. Thompson) Isn't it true, though,  
25 that at least some of your training staff have been

Kathy Triplett - 10/20/04

Page 46

1 temporarily assigned to various county offices?

2 A. That's true.

3 Q. And is that the case as of today?

4 A. As of today, to my knowledge, we don't  
5 have any training staff temporarily assigned, on  
6 temporary assignments to my knowledge as of today.

7 Q. Well, would it be fair to say that some  
8 of them have been temporarily assigned to county  
9 offices as recently as this summer?

10 A. Yes.

11 Q. And why were they reassigned?

12 A. To those county offices?

13 Q. Yes?

14 A. I was told by, by my supervisor that the  
15 assistance was needed in those counties.

16 Q. I'm sorry, who is your supervisor?

17 A. Well, at that time, my direct supervisor  
18 was Bill Mangold, the division director. Now my  
19 supervisor is Rickie Felder, the bureau director.

20 Q. I'm sorry, why has that changed?

21 A. Rickie Felder, that was a vacant position  
22 and Rickie Felder was hired recently.

23 Q. I'm sorry, Rickie Felder now has what  
24 position?

25 A. He's the Bureau Director with the

Kathy Triplett - 10/20/04

Page 47

1 Division of Family Services.

2 Q. And that's different from the director?

3 A. Yes, he's.

4 Q. Position?

5 A. He reports to the division director,  
6 Billy Mangold. At that time, the bureau director  
7 position was vacant and I reported directly to Bill  
8 Mangold.

9 Q. I understood. So Mr. Mangold requested  
10 that some of your staff be reassigned to various  
11 county offices; is that correct?

12 A. That's correct.

13 Q. When was this?

14 A. I can't recall exactly this because there  
15 were, I believe, a couple of times when that  
16 occurred within the last several months. And the  
17 most recent one, if I recall correctly, was did go  
18 into, into May or June. I could be mistaken about  
19 the exact months.

20 Q. And that is the second time?

21 A. Yes.

22 Q. And the first time would have been  
23 earlier in 2004?

24 A. There were a couple of times when there  
25 was a short period of time where the workers'



Kathy Triplett - 10/20/04

Page 48

1 temporary assignment ended and then someone else was  
2 sent back. I can't really recall. It was within  
3 that short period of time.

4 Q. Well, how many of your training staff  
5 have been reassigned at any time within the past  
6 calendar year, 2004?

7 A. There were, at one time, there were four  
8 at once. And then on another occasion, two of the  
9 same four were on a separate assignment, I believe,  
10 and that's all I can recall right now. I'm not the  
11 immediate, their immediate supervisor so I could be  
12 a little off on the timeframe.

13 Q. And when we're saying temporary  
14 assignments, how long are we talking about?

15 A. I believe one assignment was maybe for  
16 30 days and then there was another assignment, I  
17 believe, maybe the second assignment was for -- I'm  
18 not sure. I think it was 60 days, but I'm not  
19 positive of that.

20 Q. Have any of those assignments been  
21 extended?

22 A. Yes. There had, I can't recall which  
23 ones but there were assignments, when it initially,  
24 the initial information I was given was that it  
25 would not be that long and then they were extended.

Kathy Triplett - 10/20/04

Page 49

1 Q. And do you recall what counties we're  
2 talking about that they were sent to?

3 A. Forrest County -- I'm trying to recall if  
4 there were any other counties. I believe Forrest  
5 County was the only one, but I'm not sure. There  
6 could have been another county, but I believe  
7 Forrest County was the only one where they were all  
8 sent.

9 Q. And that includes the separate  
10 assignments that you were testifying to, they were  
11 all in the same county, just different assignments?

12 A. Yes, different times. At one time, four  
13 were there at the same time. And then another time,  
14 two of those four, I believe, were there. And I'm  
15 not sure how lengthy they were.

16 Q. And did Mr. Mangold tell you why this was  
17 necessary?

18 A. He told me that they were needed, that  
19 the assistance was needed in those counties.

20 Q. Did he say why?

21 A. I don't recall any other elaboration  
22 other than they were needed. That he needed them to  
23 go there.

24 Q. And what were their duties when they  
25 went there, do you know?

Kathy Triplett - 10/20/04

Page 50

1           A.     I believe their duties were somewhat  
2     divided. Some of them may have separate  
3     assignments. Some were doing investigations and  
4     some were working with making visits to foster  
5     children. Some were doing the screening of the  
6     investigations, I believe. There were different  
7     assignments while they were there so I can't recall,  
8     really recall exactly, but that was the scope of  
9     what they were doing.

10          Q.     Your understanding is that they were  
11     filling in for caseworkers?

12          A.     Yes.

13          Q.     So presumably during that time they were  
14     filling in for caseworkers, they were not doing  
15     training?

16          A.     Well, there was some on the job training  
17     that was being done with the workers who were there.  
18     I can't recall how many workers are there at that  
19     time, but there was some on the job training that  
20     was going on. But that was happening as they were  
21     doing the work also and that was not all of them  
22     doing on the job training.

23          Q.     And it's fair to say, though, that they  
24     were not available for their usual duties in the  
25     training program?

Kathy Triplett - 10/20/04

Page 51

1 A. That's true.

2 Q. Did Mr. Mangold make this request to you  
3 verbally or in writing?

4 A. I believe at least on one occasion it was  
5 both. Each time he made it verbally, gave  
6 instructions verbally, but there was at least one  
7 occasion that I believe he also followed up in  
8 writing.

9 Q. And was this a request or a directive?

10 A. It was a directive.

11 Q. During that time that up to four of your  
12 training staff were assigned to Forrest County, did  
13 that in any way impact your ability to provide  
14 extensive training to new staff?

15 A. I don't believe that there was a time  
16 that we suspended the intensive training based upon  
17 those special assignments. I can't recall at that  
18 time if there was intensive training actually  
19 occurring throughout the entire period. Usually  
20 intensive training does not cover the summer months,  
21 May through June. We may go through the beginning  
22 of May, but not through June and July. Usually, it  
23 starts about the end of August or September. I  
24 don't believe we suspended any intensive training on  
25 that basis.